

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**DEVON STEWARTS,**

**No. 08-30129-DRH**

**Defendant.**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is a motion to continue trial submitted by Defendant Stewart. (Doc. 24). The Court finds that the trial should be postponed because Defendant has received discovery information and needs time to review the information with his counsel. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and Defendant Stewart in a speedy trial. Therefore, the Court **GRANTS** Defendant Stewart's motion to continue trial (Doc. 24) and **CONTINUES** the jury trial scheduled for October 6, 2008 until **December 1, 2008 at 9:00am**. The time from the date Defendant Stewart's motion was filed, September 11, 2008 until the

date on which the trial is rescheduled, December 1, 2008, is excludable time for the purposes of a speedy trial.

**IT IS SO ORDERED.**

Signed this 12th day of September, 2008.

/s/ David R. Herndon

**Chief Judge  
United States District Court**